

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ORDER

AND NOW, this 16th day of March, 2011, upon consideration of the information provided to the Court at the December 8, 2010, and March 15, 2011, conferences of counsel in the above captioned matter, the Court finds that funds in the amount of \$50,000.00 are available for payment from or on behalf of Defendant Andrew Murin, a person furnished representation pursuant to 18 U.S.C. § 3006A, for his defense in the above captioned matter.

Specifically, the Court finds that Defendant Murin is entitled to \$50,000.00 of the \$200,000.00 paid by Federal Insurance Company as settlement of a claim under an insurance policy for legal defense funds for corporate officers of LeNature's, Inc., including Defendants Murin, Jonathon Podlucky, and Robert Lynn. The settlement agreement provides that Federal

Insurance "will pay . . . \$200,000 to Robert O. Lampl, counsel for the Individual Defendants Jonathon Podlucky, Andrew Murin and Robert Lynn, to be applied as they shall agree to the costs of their defense to criminal charges pending against them." Defendants Podlucky, Murin, and Lynn agreed that each of them would receive \$50,000.00 of this settlement to be applied to the cost of their defense in this case.

These funds were paid to attorney Robert O. Lampl, who represents these Defendants in related civil matters. Defendants Jonathan Podlucky and Robert Lynn have each received the \$50,000.00 payment the parties agreed they would receive from Attorney Lampl. Defendant Murin, however, has not yet received the share the parties agreed he is to receive, as these funds are still currently being held by Attorney Lampl. The Court finds that these funds are owed to Defendant Murin for his defense.

Defendant Murin is a person furnished representation pursuant to 18 U.S.C. § 3006A for his defense. As of this date, \$16,790.96 has been paid out of the Criminal Justice Act ("CJA") fund for attorney fees and investigative and other services in this case on behalf of Defendant Murin, and significant future expenditures are anticipated.

Therefore, IT IS HEREBY ORDERED that, pursuant to 18 U.S.C. § 3006A(f), Attorney Robert Lampl shall deposit, no later than March 21, 2011, with the Clerk for the United States District Court for the Western District of Pennsylvania funds totaling \$50,000.00. The Clerk shall deposit said funds with the Court Registry. From the \$50,000 deposited with the Court Registry, \$16,790.96 shall be reimbursed to the CJA fund immediately for funds already expended for Defendant Murin's defense in this case. Any CJA vouchers approved in the future shall first be paid out of the CJA fund. The Clerk shall then reimburse the CJA fund from the Court Registry until the \$50,000.00 deposited into the Registry is exhausted. Should any part of the \$50,000.00 deposited into the Court Registry remain after all CJA vouchers have been paid at the conclusion of Defendant Murin's defense, that amount shall be distributed in accordance with further Order of Court.

s/Alan N. Bloch
United States District Judge

ecf: Counsel of record
Attorney Robert Lampl